



DEPARTMENT OF HEALTH & HUMAN SERVICES

MAR 15 2000

Food and Drug Administration
Rockville MD 20857

8142 '00 MAR 22 P3:13

- The Honorable Michael R. McNulty
House of Representatives
Washington, D.C. 20515-3221

Dear Mr. McNulty:

Thank you for your letter of October 20, 1999, on behalf of your constituent, Ms. Sandra J. Hemming of Scotia, New York, regarding food labeling. We regret our delay in responding but trust that the following information is helpful.

Ms. Hemming is a vegetarian who is concerned that ingredients from animal sources may be listed only as "natural flavorings" in the ingredient statement of the food label. She is correct about this. We have enclosed a copy of the definition of "natural flavorings" (Title 21, Code of Federal Regulations section 101.22 (a)(3)).

By way of background, the Federal Food, Drug, and Cosmetic (FD&C) Act requires that all foods fabricated from two or more ingredients must declare each ingredient by its common or usual name in the ingredient statement in descending order of predominance by weight. The FD&C Act provides two narrow exemptions from ingredient labeling requirements. The first one provides that spices, flavorings, and certain colorings may be declared collectively without naming each one. The second one provides that incidental additives, such as processing aids that are present at insignificant levels and do not have a functional effect in the finished food, do not have to be declared on the label.

The Food and Drug Administration's (FDA) staff at the Center for Food Safety and Applied Nutrition (CFSAN) have been considering whether to revise the regulation regarding natural flavorings to make it more meaningful to consumers. We have forwarded your correspondence to our staff at CFSAN for their consideration.

99P-2148


C11 /ANS

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In addition, we recently received a citizen petition raising concerns similar to those raised by Ms. Hemming and requesting FDA to amend its food labeling regulations to require the specific ingredient listing of spices and natural and artificial flavorings on the label. We have forwarded your correspondence to the docket for this matter for inclusion in the record. Please be assured that we will consider all comments before making a final decision on this issue.

We trust this information responds to your concerns. If we may be of any further assistance, please contact us again.

Sincerely,


for Melinda K. Plaisier
Associate Commissioner
for Legislation

Enclosure

cc: Dockets Management Branch HFA-305
(Docket No. 99P-2148/CP)

COMMITTEE ON WAYS AND MEANS

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MICHAEL R. McNULTY
CONGRESS OF THE UNITED STATES
21ST DISTRICT, NEW YORK
October 20, 1999

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Ms. Melinda K. Plaifier
Associate Commissioner for Legislative Affairs
Food and Drug Administration
U.S. Department of Health and Human Services
Parklawn Building
5600 Fishers Lane, Room 15-55
Rockville, Maryland 20857

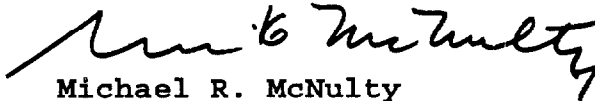
Dear Ms. Plaifier:

Enclosed please find a copy of correspondence I have received from my constituent, Ms. Sandra J. Hemming.

I respectfully request your assistance in addressing her concerns regarding labeling of food products.

I appreciate your assistance in this matter.

Sincerely,


Michael R. McNulty
Member of Congress

MRM/msw
Enclosure

No. 99-6816

September 23, 19

27

Sandra J. Hemming
16 Oakland Avenue
Scotia, NY 12302

Congressman Michael McNulty
Leo O'Brien Federal Building
Albany, NY 12207

Dear Congressman,

I am writing to you concerning a labeling question on food products. I am a vegetarian and have noticed that on a great number of labels there is listed as an ingredient "NATURAL FLAVORINGS". What concerns me is that these ingredients may possibly be animal byproducts (beef, chicken stock, etc.). For example, many restaurants use pork in making their clam chowder. Possibly, food companies do the same. What I would like to see on all food product labels that do not contain any animal byproducts is the notice "NO ANIMAL BYPRODUCTS". Please inform me if there is something else I need to do besides writing to you. I greatly appreciate your help in this matter.

Thank you for your time.

Sincerely,


Sandra J. Hemming